



**WILMINGTON FIRE DEPARTMENT
FIRE PREVENTION DIVISION**



Dear Applicant:

In order for the Wilmington, Delaware's Fire Marshal's Office to issue a Fireworks Display Permit, the below guidelines must be followed:

1. Contact the Department of License and Inspections for their requirements and any necessary permits, i.e., noise abatement, etc. The Department of License and Inspections is located in the City/County Building, 800 N. French Street, on the Fifth Floor, 571-4024.
2. If you need to close streets, reroute traffic, etc., all necessary City agencies must be contacted for their approval and requirements.
3. The attached requirements from the City of Wilmington's Fire Marshal's Office must be met.

Upon meeting the above requirements, a permit to hold a Fireworks Display shall be obtained from this office **thirty days** prior to the date of holding the event.

If you have any questions, please feel free to contact this office at (302) 576-3120.

City of Wilmington's
Fire Marshal's Office



WILMINGTON FIRE DEPARTMENT FIRE PREVENTION DIVISION



PART IV CHAPTER 2

2-1 SCOPE

- 2-1.1 This Regulation is intended to be supplemental in nature to Delaware Code, Title 16, Chapter 69.

This Regulation provides the necessary means for the City of Wilmington's Fire Marshal to carry out the requirements of Title 16, Chapter 69 of the Delaware Code with regards to the location of a public fireworks display; the competency of a person or persons who will set-up, handle, ignite, light, or otherwise handle the fireworks; and storage and handling of the fireworks, prior to the actual display, for the safety of those at, in, or near the display area and the protection of properties in the general area of the display.

2-2 APPLICATION FOR PERMIT FOR PUBLIC DISPLAY OF FIREWORKS

- 2-2.1 Any association or company desiring to hold a public display of fireworks may apply to the City Fire Marshal for a permit to hold such a display if application is made 30 days prior to the date of holding such a display. (Title 16, Chapter 69, Section 6903 (a))

Such application for a permit for a public display of fireworks shall set forth:

- a. The name and address of the organization sponsoring the display.
- b. The name, address and telephone number of an individual from the sponsoring organization who will be the contact person for the City Fire Marshal's Office.
- c. The date and time at which the display is to be held.
- d. The exact location planned for the display.
- e. The number and kind of fireworks to be discharged.
- f. The manner and place of storage of such fireworks prior to the display.
- g. The signature of the contact person from the sponsoring organization.
- h. The name, address, phone number, and signature of the fire chief of the Wilmington Fire Department certifying that he has been contacted by the sponsoring organization and that the fire department will provide fire

protection on the date and time of the display. The protection will be in the form of a paid detail (off-duty firefighter) and/or if deemed necessary by the Chief, an apparatus.

2-2.3 The application for a permit for a public display of fireworks shall be accompanied by the following:

- a. A bond in the principle sum of five thousand dollars (\$5,000) payable to the City indemnifying any person who receives or sustains injury to his person or property by reason of any discharge of the fireworks by the applicant or anyone acting for or on his behalf. Any such person receiving or sustaining injury may sue on the bond in the name of the City of Wilmington to recover damages for such injury and the City Solicitor shall represent such person in the action (Title 16, Chapter 69, Section 6903 (c)).
- b. A certificate of insurance in the amount of \$500,000 naming the sponsoring organization and the operator of the display as co-insured.
- c. A diagram of the grounds on which the display area and fall out zone is to be held showing the point at which the fireworks are to be discharged, the location of all buildings, highways, streets, roads, the lines behind which the audience or spectators will be restrained, and the location of all nearby trees, telegraph, or telephone lines or other overhead obstructions.
- d. A check in the amount of \$50.00 prescribed in permit fees of these Regulations and made payable to the City of Wilmington.

2-2.4 The certificate of insurance shall list the specific date and time of the planned display.

2-3 **CONDUCT OF DISPLAY**

2-3.1 **GENERAL REQUIREMENTS**

2-3.1.1 The discharge, failure to fire, faulty wiring or fallout of any fireworks, or other objects shall not endanger persons, buildings, apartments, structures, forests, or brush nor in any case will the point at which the fireworks are to be fired be less than 200 feet from the nearest permanent building, public highway, railroad, or other means of travel or 50 feet from the nearest aboveground telephone or telegraph line, tree, or other overhead obstruction. In no case shall a display be fired within 50 feet of a school, theatre, church, hospital, or similar institution.

2-3.1.2 Spectators at a display of fireworks shall be restrained behind lines or barriers designated by local authorities but in no case less than 200 feet from the point at which the fireworks are to be discharged. Only authorized persons and those in actual charge of the display shall be allowed inside those lines or barriers during the unloading, preparation, or firing of the fireworks.

- 2-3.1.3 All fireworks that fire a projectile shall be so set up that the projectile will go into the air as nearly as possible in a vertical direction, provided that where such fireworks are to be fired beside a lake or other large body of water, they may be directed in such a manner that the falling residue from the deflagration will fall into the said body of water.
- 2-3.1.4 Any fireworks that remain unfired after the display is concluded shall be immediately disposed of or removed in a manner safe for the particular type of firework. The debris from the discharged fireworks shall be properly disposed of by the operator before he leaves that premises. The operator, upon the conclusion of the display, shall make a complete and thorough search for any unfired fireworks or pieces, which have failed to fire, or function and dispose of them in a safe manner. Such search shall be instituted at the earliest possible time following the conclusion of the display but in no event later than the first period of daylight, which follows.
- 2-3.1.5 No fireworks display shall be held during any windstorm in which the wind reaches a velocity of more than 20 miles per hour.
- 2-3.1.6 All fireworks articles and items at places of display shall be stored in such a manner and in a place secure from fire, accidental discharge, and theft in a manner approved by the Fire Marshal for the City of Wilmington.
- 2-3.1.7 Display operators and assistants shall use only flashlights or electric lighting for artificial illumination.
- 2-3.1.8 No smoking or open flames shall be allowed in the storage or display area. Signs to this effect shall be conspicuously posted.
- 2-3.1.9 No person shall handle or be involved in the firing of fireworks after the consumption of alcoholic beverages or under the influence of narcotics or drugs, which could adversely affect judgment, movements, or stability.
- 2-3.1.10 The Fire Marshal for the City of Wilmington shall have the authority to apply and provisions from NFPA No. 1123, as listed in Part I, Annex A of these Regulations, as the standards for any provision not specifically covered in this Chapter or in 16 Delaware Code, Chapter 69.
- 2-3.1.11 All fireworks displays shall be under the immediate supervision of a person so licensed as an operator of public fireworks display as called for in Section 2-5 of this chapter.
- 2-3.1.12 The provisions of Section 2-3.1.11 shall apply from the time that the fireworks arrive at the display site, and until the completion of the display, removal of all remaining fireworks from the site and the removal of all debris.
- 2-3.1.13 The person so licensed under this chapter, who is supervising a display site, shall be responsible for all aspects of the conduct of the display and for all requirements under which the display permit is issued.



**WILMINGTON FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

800 French Street, 3rd Floor
Wilmington, DE 19801-3537
(302) 576-3120
(302) 573-7701 (fax)



**APPLICATION FOR PERMIT
TO HOLD A PUBLIC DISPLAY OF FIREWORKS
(Please Print)**

Permit Fee: \$50.00

Date _____, 20____

Application is hereby made for a permit to hold a public display of fireworks according to the following detailed statement herewith submitted. All provisions of the Fire Prevention Ordinance shall be complied within the public display of fireworks whether specified herein or not.

Applicant Contact Person

Applicant's Street Address City State Zip

Work Number/Fax Number Cellular Number

1. _____
Name of Person Firing the Display Years of Experience

Organization Conducting the Fireworks Display

2. Date of Display _____ Time of Display _____

3. Location of Display _____

4. Location of Fireworks Being Stored _____

5. Has a bond of **\$5,000** to the City of Wilmington been placed? _____ Yes _____ No

6. Has a Certificate of Insurance, naming the City of Wilmington as an Additional insured in the amount of not less than \$1,000,000.00 been placed? _____ Yes _____ No

7. Has a list with the number, size, and kind of fireworks been submitted? _____ Yes _____ No

8. Diagram of "Display Area" and "Fallout Zone". _____ Yes _____ No

9. Has a check payable to the "City of Wilmington" for \$50.00 been Submitted to cover the cost of the permit? _____ Yes _____ No

FIRE MARSHAL ACTION

FEE PAID _____

PERMIT NO. _____

This is to certify that I have received and examined this application and that it is in accordance with the provisions of the "Fire Prevention Code" of the City of Wilmington, Delaware.

_____ Approved

_____ Conditional Approval

_____ Date(s) Granted

Special Restrictions and Conditions: _____

_____ Denied

Reason for Denial: _____

FIRE MARSHAL

DATE

SEND COMPLETED APPLICATION AND FEE TO:

FIRE MARSHAL'S OFFICE
800 FRENCH STREET, 3RD FLOOR
WILMINGTON, DE 19801
(302) 576-3120